

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SHEET METAL WORKERS' NATIONAL PENSION :  
FUND, NATIONAL ENERGY MANAGEMENT :  
INSTITUTE COMMITTEE FOR THE SHEET :  
METAL AND AIR CONDITIONING INDUSTRY, :  
SHEET METAL OCCUPATIONAL HEALTH :  
INSTITUTE TRUST, INTERNATIONAL TRAINING :  
INSTITUTE FOR THE SHEET METAL AND AIR :  
CONDITIONING INDUSTRY, and NATIONAL :  
STABILIZATION AGREEMENT OF THE SHEET :  
METAL INDUSTRY FUND, :

Plaintiffs, :

- against - :

K & K CONSTRUCTION OF QUEENS COUNTY, :  
INC. and KOSTAS KALAFATIS, as an individual, :

Defendants. :

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**DORA L. IRIZARRY, United States District Judge:**

On November 8, 2010, the Honorable Ramon E. Reyes, Jr., U.S.M.J., issued a Report and Recommendation ("R&R") with regard to plaintiffs' request for damages against defendants K & K Construction of Queens County, Inc. and Kostas Kalafatis. No objections to the R&R have been filed. Upon due consideration, the Report and the Recommendations contained therein are hereby adopted in their entirety.

Accordingly, it is hereby ORDERED that plaintiff's motion for default judgment against defendants is GRANTED. It is further hereby ORDERED that the Clerk of the Court enter judgment for plaintiff in the total amount of \$32,525.34, comprised of: (1) \$24,615.70 in unpaid

contributions; (2) \$1,166.55 in accrued interest;<sup>1</sup> (3) \$4,923.09 in liquidated damages; and (4) \$1,820.00 in attorneys' fees and costs.

SO ORDERED.

Dated: Brooklyn, New York  
January 19, 2011

/s/  
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DORA L. IRIZARRY  
United States District Judge

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<sup>1</sup> The court notes that the calculation of interest was determined as of June 15, 2010. Plaintiffs did not seek interest past that date, and did not object to the magistrate judge's calculation of interest as of that date. Therefore, the court does not award any interest that would have accrued after June 15, 2010.